

REMARKS

Reconsideration and removal of the grounds for rejection are respectfully requested. Claims 1-7 were in the application, claims 1 -7 have been cancelled and new claims 8-12 substituted therefore.

Claim 8 replaces claim 1, further amended to clarify the various structural elements and their interrelationship.

Claims 1-7 were rejected as being anticipated by Szatmary, U.S. Patent no. 5,997,399. Claims 1-7 have been cancelled and new claims 8-12 substituted therefore. By this amendment, it is believed that the rejection has been rendered moot for the following reasons.

To have anticipation, each and every element of the claim must be found in a single prior art reference W.L. Gore & Assoc. V. Garlock, Inc., 721 F.2d 1540 (Fed. Cir. 1983). Further, the reference must describe the claimed invention sufficiently to place a person of ordinary skill in the art in possession of the invention. In re Spada, 15 USPQ 2d (Fed. Cir. 1990). In addition, anticipation requires the reference to describe all the elements of the claims, arranged as in the patented device. Shearing v. Iolab Corp., 975 F.2d 1541, 1544-45, 24 U.S.P.Q.2D (BNA) 1133, 1136 (Fed. Cir. 1992); Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2D (BNA) 1913, 1920 (Fed. Cir 1989); Perkin-Elmer Corp. v. Computervision Corp., 732 F.2d 888, 894, 221 U.S.P.Q. (BNA) 669, 673 (Fed. Cir. 1984). C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir., 1998).

Anticipation requires strict identity, without guessing what the reference discloses. Dayco Products, Inc. V. Total Containment Inc., 329 F.3d 1358 (Fed. Cir. 2003).

US 5,997,399 to Szatmary relates to an isolation chamber for handling sterile or toxic materials. (col. 1, l. 9-11) The chamber 20 is totally enclosed, having side walls 26 fitted with rubber glove ports 42 for a worker to use when working with items in the chamber 20. The worker stands in a worker booth 45 located alongside the isolation booth 20. (col. 4, l. 12-21) Note that "[one or more flexible] Drapes 84 provide a 'back wall' of each worker booth 45... Thus, a zone 83 of stagnant non-clean air is positioned to lie in each worker booth 45 between each clean air zone 72 and each respective drape 84 as shown in FIG. 2."

(col. 6, l. 15-22) Purified (filtered) air is introduced into the chamber and the air zones from top downwards, with the air sucked through another filter before exiting the isolation chamber. As the chamber is maintained at a negative pressure, any leaks cause air to flow into the chamber.

As stated above, the worker enters the stagnant non-clean air zone, which has an air curtain running along the wall 26, so that the front of his body engages with the air curtain 70, which is aimed at preventing contaminated air from entering the chamber 20.

It is clear that a person entering the air zone brings also a massive quantity of impurities into the zone and also breathes when inside the zone. It goes without saying that these impurities present in the air as well as air contaminated by breathing must go in some quantity into the air 70, and in the event of a leak, into the isolation chamber 20.

While the air curtain initially has clean air, while hitting the body of the worker, it must create vortexes and turbulences, so that even a small part of air entering the chamber could bring a considerable quantity of impurities with it, such as illustrated in Fig. 4, where loss of a glove tip would require air to flow by the arm and hand into the chamber 20. So, contaminated air could enter through other leaks present at sealing points, such as described in col. 4, l. 44-50.

Such leaks would not contaminate the inner environment according to the present invention. Here instead of a single wall 26, a double wall structured panel is provided, that has a closed intermediate space 11, not accessible to the operator, and incapable of blending with a "stagnant non-clean air zone". Rather, it is a narrow space enclosed between two panels that normally will only be separated by centimetres.

The air in the enclosed intermediate space is kept at a pressure higher than the pressure of the isolated environments A and B. This way, air coming from the intermediate space and entering the isolated environment A or B is never contaminated by the body of a person as could occur in the cited patent. Contaminated air never enters the environments A and B through the leakage clearances.

In particular, the panel means have inner and outer conveying channels, the purified air passing through the inner conveying channel and the outer conveying channel forming a

fluid-dynamic sealing barrier at the edge of the panel means for preventing contaminants from entering the inner environment at the panel edge. No such structures are shown or described in the '399 patent. Rather, conventional seals are used, which admittedly fail according to the '399 patent, and as discussed above, would allow contaminated air to enter the isolation chamber.

Moreover, the cited reference has no wing structure, as described by the claims, as the Examiner is mistaken in referring to the panel as including "at least one wing (35 to right side of 82, 35 to left side of 82)". 35 refers to a portion of the blower exhaust duct 32, and 82 is a hood; neither relates to a panel hinged at one side, further defined by the pair of panels, intermediate space, conveying channels, etc, none of which are present in the indicated structure.

As each and every element of new claim 8 is not found in the cited patent, claim 8 and the claims depending therefrom are not anticipated thereby.

Based on the above amendments and remarks, favorable consideration and allowance of the application is respectfully requested. However should the examiner believe that direct contact with the applicants' attorney would advance the prosecution of the application, the examiner is invited to telephone the undersigned at the number given below.

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